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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/398,170	09/17/1999	RANJIT N. NOTANI	020431-0467	9727

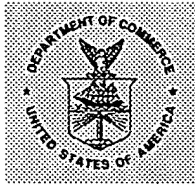
7590 12/27/2004  
BAKER & BOTTS LLP  
2001 ROSS AVENUE  
DALLAS, TX 752012980

EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 12/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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Washington, D.C. 20231

SERIAL	FILING	NAME APPLICANT	ATTORNEY DOCKET
09/398170	09/17/99	Notani, Ranjit n.	020431-0467

BAKER BOTTS L.L.P.  
Christopher W. Kennerly  
2001 Ross Avenue  
Dallas TX 75201-2980

EXAMINER	
Frantzy Poinvil	
ART UNIT	PAPER
3628	--

DATE MAILED:

Please find below a communication from the Examiner in charge of this application.

Commissioner of Patents and Trademarks.

See Examiner's Attachment.

Art Unit: 3628

**Examiner's Attachment**

1. It is noted that the Appeal Brief filed 9/20/2004 is NOT acceptable because the Brief does not incorporate in the Statement of Issue the applied prior art "Carl R. Schultz", the article entitled "Modeling take or pay contract decisions".
2. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).


**Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (703) 305-9779. The examiner can normally be reached on Monday-Thursday 7:00AM-5:30PM.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9326 for Before Final actions and (703) 872-9327 for After Final actions.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

FP  
December 8, 2004

  
**FRANTZY POINVIL**  
**PRIMARY EXAMINER**  
*for 3628*